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Dkt. 56330-A/JPW/PJP

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of : Judah Z. Weinberger  
Serial No. : 09/803,773  
Date Filed : March 12, 2001  
For : METHOD AND APPARATUS FOR TREATING A DISEASE  
PROCESS IN A LUMINAL STRUCTURE

1185 Avenue of the Americas  
New York, N.Y. 10036  
August 30, 2001

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

**COMMUNICATION IN RESPONSE TO NOTICE TO  
FILE MISSING PARTS OF APPLICATION AND  
PETITION FOR TWO MONTH EXTENSION OF TIME**

In response to a Notice to File Missing Parts of Application under C.F.R. § 1.53(d) (Exhibit A) and in compliance with 37 C.F.R. § 1.63, applicant files herewith an original Declaration and Power of Attorney (Exhibit B). The Declaration refers to the application's above-identified serial number and filing date. In accordance with the May 18, 2001 Notice, the deadline for submitting the original Declaration was July 18, 2001. Applicant hereby petitions for a two month extension of time, from July 18, 2001 to September 18, 2001 to respond to the notice. The fee for a two month extension for a small entity is \$195, and a check for this amount is enclosed. Small entity status is being established as indicated below. A response is now due September 18, 2001. Therefore, this response is timely filed.

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Filed: March 12, 2001  
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Applicant also submits herewith an original Small Entity Declaration (Exhibit C). This Declaration should establish applicant as small entity.

A check in the amount of SIXTY-FIVE DOLLARS (\$65.00) is enclosed in payment of the surcharge.

No additional fee other than the two month extension fee of \$195, and the surcharge fee of \$65, a check for which are enclosed, is deemed necessary in connection with this Communication. In the event that any additional fee is required, authorization is hereby given to charge the amount of any such fee to Deposit Account 03-3125.

Respectfully submitted,



John P. White  
Registration No. 28,678  
Peter J. Phillips  
Registration No. 29,691  
Attorneys for Applicants  
Cooper & Dunham LLP  
1185 Avenue of the Americas  
New York, New York 10036  
(212) 278-0400

I hereby certify that this correspondence is being deposited this date with the U.S. Postal Service with sufficient postage as first class mail in an envelope addressed to:  
Assistant Commissioner of Patents,  
Washington, D.C. 20231.

 8/30/01  
Peter J. Phillips Date  
Reg. No. 29,691

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APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/803,773	03/12/2001	Judah Z. Weinberger	56330-A/JPW/PJP

CONFIRMATION NO. 8786

## FORMALITIES LETTER



\*OC000000006094332\*

 Cooper & Dunham LLP  
 1185 Avenue of the Americas  
 New York, NY 10036

Date Mailed: 05/18/2001

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.  
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 65.

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*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

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